

State of New York  
Supreme Court, Appellate Division  
Third Judicial Department  
518-471-4777

SESSION CALENDAR FOR TUESDAY, JANUARY 12, 2021

1:00 P.M. SESSION

GA E LY A PR

BENCH POSITION: AARONS, J., EGAN JR., J., GARRY, P.J., LYNCH, J., PRITZKER, J.

Please notify the Clerk's Office at least 24 Hours PRIOR to argument of any changes to this calendar, including submissions and attorney changes.

When a cause is argued or submitted to the court with four justices present, it shall, whenever necessary, be deemed submitted also to any other duly qualified justice of the court, unless objection is noted at the time of argument or submission (Practice Rules of the Appellate Division, Rule 1250.1 [b]).

| Calendar No. | Case No. | Title  | Time Allocated                    |
|--------------|----------|--|-----------------------------------|
| ➤(1)         | 531108   | <b>BURDICK v TONOGA</b><br><i>Appellant</i> - Ann Marie Duffy, Esq.<br>Donald Fowler, Esq.<br>(Tonoga Inc.)<br><i>Respondent</i> - Stephen G. Schwarz, Esq.<br>Faraci Lange LLP                          | <u>REMOTE</u><br>10<br>10         |
| ➤(2)         | 530633   | <b>BURDICK v TONOGA</b><br><i>Appellant</i> - Ann Marie Duffy, Esq.<br>Donald Fowler, Esq.<br>(Tonoga Inc.)<br><i>Respondent</i> - Stephen G. Schwarz, Esq.<br>Faraci Lange LLP                          | <u>REMOTE</u><br>10<br>10         |
| (3)          | 531650   | <b>BENNETT v SAVAGE</b>  | SUB                               |
| (4)          | 529354   | <b>MATTER OF KELLY CC. v ZARON BB.</b><br><i>Appellant</i> - Ellen S. Ross, Esq.<br>(Kelly CC.)<br><i>Respondent</i> - Anthony Casale, Esq.<br><i>Attorney for the Child</i> - Rachel A. Rappazzo, Esq.  | <u>REMOTE</u><br>10<br>SUB<br>SUB |
| (5)          | 530344   | <b>STEWART v ROBERTS</b><br><i>Appellant</i> - Laura Etlinger, Esq.<br>AG Letitia James<br>(Samuel D. Roberts)<br><i>Respondent</i> - Saima A. Akhtar, Esq.<br>Empire Justice Center<br>(Tricia Stewart) | <u>REMOTE</u><br>10<br>10         |

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| Calendar No.                                    | Case No.          | Title  | Time Allocated                    |
|---|-------------------|--|-----------------------------------|
| (6)   | 530034            | <b>GMAT LEGAL TITLE TRUST v WOOD</b><br><i>Appellant</i> - Denise Singh Skeete, Esq.<br><i>Respondent</i> - Phillip J. Artz, Esq.<br>McDonough & Artz<br>(Erin Wood)                             | <u>REMOTE</u><br>SUB<br>10        |
| (7)   | 528259            | <b>MATTER OF BRADLEY Q.</b><br><i>Appellant</i> - Timothy S. Brennan, Esq. [Assigned]<br><i>Respondent</i> - Samantha H. Miller, Esq.<br><i>Attorney for the Child</i> - Karen R. Crandall, Esq. | <u>REMOTE</u><br>SUB<br>SUB<br>10 |
| (8)   | 110588            | <b>PEOPLE v ALBERT L. BUTCHER</b>  | SUB                               |
| (9)   | 527762            | <b>MATTER OF ELIZABETH S. v BEN T.</b>   | SUB                               |
| (10)  | 526982/<br>526983 | <b>MATTER OF JORGE JJ. v ERICA II.</b>   | SUB                               |
| (11)  | 531186            | <b>MATTER OF CLANCY v PARK LINE ASPHALT MAINTENANCE</b>  | SUB                               |
| (12)  | 530353            | <b>MATTER OF QUIGLEY v VILLAGE OF EAST AURORA</b>  | SUB                               |
| (13)  | 110955            | <b>PEOPLE v ROBERT B. MOSHER</b>   | SUB                               |
| (14)  | 529004            | <b>MATTER OF KING v CITY OF NEW YORK DEPT. OF PARKS AND RECREATION</b>   | SUB                               |
| (15)  | 530473            | <b>MATTER OF STORMS v BOCES ERIE NO. 1</b>   | SUB                               |
| ▶ 531108 - BURDICK v TONOGA<br>Panel: GA E LY A |                   |  |                                   |
| ▶ 530633 - BURDICK v TONOGA<br>Panel: GA E LY A |                   |  |                                   |